

BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-232-C

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SOUTH CAROLINA
COMMISSION

In the Matter of: APPLICATION OF TELECOM)
MANAGEMENT, INC. D/B/A PIONEER TELEPHONE)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO PROVIDE RESOLD INTRASTATE)
INTEREXCHANGE TELECOMMUNICATIONS)
SERVICES WITHIN THE STATE OF SOUTH CAROLINA)

TESTIMONY OF KEVIN PHOTIADES
ON BEHALF OF
TELECOM MANAGEMENT, INC. D/B/A PIONEER TELEPHONE

1 Q: PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

2 A: My name is Kevin Photiades, and my business address is 583 Warren Avenue, Portland,
3 Maine 04103.

4 Q: BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

5 A: I am the Compliance Specialist of Telecom Management, Inc. d/b/a Pioneer Telephone
6 ("Pioneer Telephone").

7 Q: IS THE ADDRESS OF THE COMPANY THE SAME AS THAT WHICH YOU
8 HAVE JUST SUPPLIED?

9 A: Yes.

10 Q: PLEASE DESCRIBE YOUR DUTIES FOR THE COMPANY.

11 A: I am in charge of handling the Company's regulatory and compliance operations and for
12 acting as liaison with governmental agencies.

RETURN DATE: OK D. Werts
SERVICE: OK D. Werts

1 **Q: COULD YOU PROVIDE A BRIEF BACKGROUND OF YOUR EDUCATION**
2 **AND EXPERIENCE?**

3 A: Yes. From June, 2004 to the present, I have acted as Compliance Specialist for Telecom
4 Management, Inc. d/b/a Pioneer Telephone. I am responsible for management of all
5 legal, regulatory and compliance activities for the telecommunications company. My
6 duties include drafting and filing licensing documents for authority to provide local and
7 long distance telephone services; drafting and completing corporate reports, earnings
8 reports and other ongoing state compliance documents; maintaining vendor relations;
9 researching and responding to customer complaints; reviewing company policies and
10 operating procedures for compliance, and updating company tariffs as necessary.

11 From September 2002 to June 2004, I was Regulatory and Compliance Manager
12 for United Systems Access, Inc. d/b/a USA Telephone in Kennebunk, Maine. I was
13 responsible for management of all legal, regulatory and compliance activities for that
14 telecommunications company. I negotiated and managed contracts with vendors such as
15 Verizon and Global Crossing; established and maintained vendor relations; drafted and
16 filed company tariffs that identified rates, terms and conditions for telephone service;
17 monitored and participated in state public utility proceedings involving compliance
18 issues and disputes; researched and responded to customer complaints; assisted in
19 preparing RFPs for provision of telephone service and researched and drafted company
20 policies involving collections, billing, disconnection procedures and customer privacy
21 issues. From April 1997 to July 2002, I was a Paralegal with the firm of Long, Burner,
22 Parks and DeLargy, P.C. in Austin, Texas. I provided legal support for three attorneys in

1 the Administrative Section of the firm in various aspects of corporate, regulatory and
2 compliance practice; incorporated and organized corporations, limited liability
3 companies, and limited partnerships; performed due diligence and drafted documents for
4 mergers and acquisitions; performed various compliance activities for clients; drafted and
5 filed state and federal trademark applications; assisted at administrative hearings and
6 district court appearances; guided clients and accomplished multi-state licensing of
7 individual insurance agents and corporate agencies, banks and other entities.

8 From March 1996 to April 1997, I was a Paralegal for the firm of Hall and
9 Kleeman, P.L.L.C. in Austin, Texas. I assisted three attorneys with
10 corporate/environmental/family law practice. I drafted client correspondence, litigation
11 and discovery documents; performed research at the Texas Natural Resource
12 Conservation Commission on environmental issues; researched and drafted memos on
13 various legal issues; interviewed clients as needed for family law proceedings and
14 account set-up; and assisted in bookkeeping for the firm by maintaining spreadsheets
15 tracking client account activity.

16 I obtained my Paralegal Certificate from Texas State University in San Marcos,
17 Texas in December 1996. I also obtained a Bachelor of Arts degree in History from the
18 University of Texas in December 1991.

19 **Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

20 A: The purpose of my testimony is to present evidence describing the technical, managerial
21 and financial fitness of Pioneer Telephone to provide resold interexchange services in
22 South Carolina. This testimony will also describe the services to be provided by Pioneer

1 Telephone and the Company's proposed tariff. Finally, my testimony will show that the
2 public interest will be served by approval of Pioneer Telephone's application.

3 **Q: ARE YOU FAMILIAR WITH THE APPLICATION OF YOUR COMPANY**
4 **SUBMITTED TO THIS COMMISSION AND ALL EXHIBITS ATTACHED**
5 **THERE TO?**

6 A: Yes.

7 **Q: DO YOU WISH TO INCORPORATE BY REFERENCE ANY DOCUMENTS**
8 **INTO THIS TESTIMONY?**

9 A: Yes. I wish to incorporate by reference the underlying Application filed in this
10 proceeding and its associated exhibits.

11 **Q: DO YOU RATIFY AND CONFIRM THE STATEMENTS AND**
12 **REPRESENTATIONS MADE IN THAT APPLICATION AND ALL EXHIBITS**
13 **ATTACHED THERE TO?**

14 A: Yes.

15 **Q: HAS PIONEER TELEPHONE REGISTERED TO DO BUSINESS IN SOUTH**
16 **CAROLINA?**

17 A: Yes. Pioneer Telephone has received foreign corporation authority in South Carolina,
18 and a copy of the Certificate of Authorization was attached to the Application as Exhibit
19 B.

1 **Q: PLEASE DESCRIBE THE SERVICES THAT THE COMPANY INTENDS TO**
2 **PROVIDE WITHIN THE STATE OF SOUTH CAROLINA.**

3 A: The company seeks authority to operate as a reseller of intrastate interexchange
4 telecommunications services to the public on a statewide basis. Specifically, Pioneer
5 Telephone proposes to offer traditional switched long distance service, toll-free services,
6 and post-paid calling card services.

7 **Q: DOES THE COMPANY INTEND TO OFFER PREPAID DEBIT CARD**
8 **SERVICES IN SOUTH CAROLINA?**

9 A: Not at this time. The Company is aware of this Commission's \$5,000 bond or certificate
10 of deposit requirement associated with prepaid debit card services, and will file such an
11 instrument with the Commission should the Company decide to offer these services in
12 the future.

13 **Q: WHICH CARRIERS CURRENTLY SERVE AS THE COMPANY'S**
14 **UNDERLYING CARRIERS?**

15 A: Qwest and/or Global Crossing currently serve as the company's underlying carriers. The
16 Company can assure the Commission that any carrier with whom the company contracts
17 for the provision of interexchange services will have been properly certified by this
18 Commission.

19 **Q: WHAT SERVICES DOES THE UNDERLYING CARRIER(S) PROVIDE TO THE**
20 **COMPANY?**

21 A: The underlying carriers provide the Company's long distance interexchange services.

1 **Q: HOW DOES THE COMPANY RESELL INTEREXCHANGE SERVICES?**

2 A: The Company purchases service at a discount from its underlying carriers, and then
3 resells the service under its own brand name to the public.

4 **Q: HOW WILL PIONEER TELEPHONE BILL FOR ITS SERVICES?**

5 A: Calls are billed directly by the Company. The Company's customer bill will comply in
6 all respects with Commission Rule 103-622.1, and the Company will provide a copy of
7 its customer bill to the Commission as required by Commission Rule 103-612.2.2.

8 **Q: HOW ARE TROUBLE REPORTS AND CUSTOMER COMPLAINTS**
9 **HANDLED?**

10 A: Pioneer Telephone uses a nationwide toll-free number, (888) 492-6878 for customer
11 services. Live Customer Service hours of operation are 9:00 a.m. to 8:00 p.m. (EST)
12 Monday through Friday. The toll-free number is printed on all customer billing
13 statements. The Company's customer service department is also available by e-mailing
14 info@pioneertelephone.com.

15 **Q: HOW ARE BILLING ERRORS AND COMPLAINTS HANDLED?**

16 A: The Customer Service Department is open from 9:00 a.m. to 8:00 p.m. Monday through
17 Friday. Customer service representatives are prepared to respond to a broad range of
18 service matters, including 1) the types of services offered; 2) monthly billing statements;
19 3) problems or concerns pertaining to a customer's current service; and 4) general
20 telecommunications matters. These inquiries can also be forwarded to the customer
21 service department via e-mail to info@pioneertelephone.com.

1 **Q: ARE YOU FAMILIAR WITH THE TARIFF SUBMITTED AS AN EXHIBIT TO**
2 **THE APPLICATION?**

3 A: Yes.

4 **Q: WAS THE TARIFF PREPARED BY YOU OR UNDER YOUR SUPERVISION?**

5 A: Yes. It was prepared under my supervision.

6 **Q: DESCRIBE THE PROPOSED PIONEER TELEPHONE SOUTH CAROLINA**
7 **TARIFF.**

8 A: Pioneer Telephone has included a proposed interexchange tariff, which contains the
9 rules, regulations and rates for Pioneer Telephone's services. Pioneer Telephone
10 proposes to resell interexchange services, including traditional switched long distance,
11 toll-free services, and post-paid calling card services. These intrastate services are
12 provided to both business and residential customers in conjunction with interstate
13 services. These services are not mileage-sensitive. Pioneer Telephone's tariff will
14 comport with all applicable Commission Rules and Orders, and Pioneer Telephone
15 agrees to make any changes suggested by the Commission Staff necessary to comply
16 with all such applicable authority.

17 **Q: IN YOUR OPINION, ARE YOUR PROPOSED RATES CONTAINED IN THE**
18 **TARIFF JUST AND REASONABLE?**

19 A: Yes.

20 **Q: WILL THE COMPANY PROVIDE ANY EQUIPMENT OR FACILITIES IN**
21 **CONNECTION WITH ITS SERVICES?**

1 A: No, the Company does not intend to own, operate, control or manage any
2 telecommunications transmission facilities within the State of South Carolina, and does
3 not intend to obtain or construct any such facilities or equipment. However, the
4 Company reserves the right to install its own facilities if and when business conditions
5 warrant, and upon approval of the Commission.

6 **Q: HOW LONG HAS THE COMPANY BEEN IN BUSINESS?**

7 A: Telecom Management, Inc. was organized February 22, 1995. It is currently authorized
8 and providing interexchange services in forty-two (42) states, and is in the process of
9 obtaining interexchange certification on a nationwide basis.

10 **Q: DOES THE COMPANY HAVE OFFICES IN SOUTH CAROLINA?**

11 A: No. The company does not intend to have offices in South Carolina. Accordingly, the
12 company requests, pursuant to Commission Rule 103-610, that the Commission authorize
13 the company to keep its books and records at its offices in Maine. Upon request, the
14 company will provide any such books and records to the Commission and its Staff on an
15 expedited basis and at the company's costs.

16 **Q: DOES THE COMPANY HAVE ADEQUATE AND SUFFICIENT FINANCIAL**
17 **RESOURCES TO PROVIDE THE PROPOSED TELECOMMUNICATIONS**
18 **SERVICES PROPERLY AND CONTINUOUSLY?**

19 A: Yes. The Applicant is adequately funded for continuous operations. The Company has
20 previously submitted financial statements to the Commission reflecting its financial
21 status.

1 **Q: WHERE DOES THE COMPANY ANTICIPATE OFFERING ITS SERVICES IN**
2 **SOUTH CAROLINA?**

3 A: The Company intends to offer its services on a statewide basis.

4 **Q: HOW WILL THE COMPANY MARKET ITS SERVICES?**

5 A: The Company will market its services by using independent agents and/or in-house sales
6 representatives. The Company does not intend to use telemarketing in connection with
7 its services.

8 **Q: IS THE COMPANY CERTIFIED OR OTHERWISE AUTHORIZED TO**
9 **PROVIDE RESALE SERVICES OF THE TYPE DESCRIBED HEREIN IN ANY**
10 **OTHER STATES?**

11 A: Yes. The Company is currently authorized to operate in Alabama, Arkansas, California,
12 Colorado, Delaware, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky,
13 Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi,
14 Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New
15 York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South
16 Dakota, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin and
17 Wyoming.

18 **Q: IN WHAT OTHER STATES WILL THE COMPANY SEEK WHATEVER**
19 **APPROVALS ARE NECESSARY?**

20 A: The Company is pending certification in Arizona, Georgia, Oklahoma, and Tennessee.

21 **Q: WHY DOES THE COMPANY WANT TO COMMENCE OPERATIONS IN**
22 **SOUTH CAROLINA?**

1 A: The Applicant intends to operate on a nationwide basis.

2 **Q: IN YOUR OPINION, WHY IS THE COMPANY'S SERVICE IN THE PUBLIC**
3 **INTEREST?**

4 A: Allowing the Company to provide service within the State of South Carolina promotes
5 competition within the telecommunications industry, and thereby results in the offering
6 of higher quality services at lower prices to consumers.

7 **Q: IS THE COMPANY WILLING AND ABLE TO PROVIDE**
8 **TELECOMMUNICATIONS SERVICE PROPERLY AND CONTINUOUSLY?**

9 A: Yes. This is evidenced by its current successful operations.

10 **Q: IS THE COMPANY WILLING AND ABLE TO CONFORM TO THE**
11 **CONSTITUTION AND LAWS OF THE STATE OF SOUTH CAROLINA AND**
12 **TO THE RULES AND REGULATIONS OF THE COMMISSION, UNLESS**
13 **APPLICATION OF SUCH RULES OR REGULATIONS IS SPECIFICALLY**
14 **WAIVED BY THE COMMISSION?**

15 A: Yes.

16 **Q: WILL THE COMPANY FILE ALL APPLICABLE REPORTS AS REQUIRED BY**
17 **THE COMMISSION?**

18 A: Yes. The Company is aware of the Commission's requirements that all
19 telecommunications carriers file a report on South Carolina operations, a gross receipts
20 report, and a universal service contribution report on an annual basis.

1 **Q: DOES THE APPLICANT POSSESS THE MANAGERIAL AND TECHNICAL**
2 **QUALIFICATIONS, EXPERIENCE AND PERSONNEL TO PROVIDE THE**
3 **PROPOSED PUBLIC TELECOMMUNICATIONS SERVICES?**

4 A: Yes. As evidenced by the Management Profiles submitted as an Exhibit to the original
5 application, the Company has extensive managerial and technical expertise.

6 **Q: DOES THIS COMPLETE YOUR TESTIMONY IN SUPPORT OF YOUR**
7 **APPLICATION?**

8 A: Yes.

9 **Q: WILL YOU REMAIN AVAILABLE TO RESPOND TO ANY ADDITIONAL**
10 **QUESTIONS FROM THE COMMISSION OR ITS STAFF REGARDING YOUR**
11 **APPLICATION IF NECESSARY?**

12 A: Yes.